

Assembly Bill No. 1455

CHAPTER 40

An act to amend Section 35021 of the Education Code, relating to school volunteers.

[Approved by Governor July 4, 2001. Filed with
Secretary of State July 5, 2001.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1455, Aaenstad. School volunteers.

Existing law prohibits an employee of a school district from serving as a nonteaching volunteer aide in the district.

This bill would delete that prohibition.

The people of the State of California do enact as follows:

SECTION 1. Section 35021 of the Education Code is amended to read:

35021. (a) Notwithstanding any other law, any person, except a person required to register as a sex offender pursuant to Section 290 of the Penal Code, may be permitted by the governing board of any school district to perform the duties specified in Section 44814 or 44815, or to serve as a nonteaching volunteer aide under the immediate supervision and direction of the certificated personnel of the district to perform noninstructional work which serves to assist the certificated personnel in performance of teaching and administrative responsibilities. With respect to this noninstructional work, the nonteaching volunteer aide shall serve without compensation of any type or other benefits accorded to employees of the district, except as provided in Section 3364.5 of the Labor Code.

(b) No district may abolish any of its classified positions and utilize volunteer aides, as authorized herein, in lieu of classified employees who are laid off as a result of the abolition of a position. A district shall not refuse to employ a person in a vacant classified position and use volunteer aides in lieu of filling the classified position.

(c) It is the intent of the Legislature to permit school districts to use volunteer aides to enhance its educational program but not to permit displacement of classified employees nor to allow districts to utilize volunteers in lieu of normal employee requirements.

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